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**EXHIBIT A: CONSENT JUDGMENT**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MERCK & CO., INC.,

Plaintiff,

v.

SANDOZ INC.,

Defendant.

Civil Action No. 09-00890 (MLC)(LHG)

**CONSENT JUDGMENT**

Merck & Co., Inc. (hereinafter "Merck") and Sandoz Inc. (hereinafter "Sandoz") have agreed to terms and conditions representing a negotiated settlement of this action and have set forth those terms and conditions in a Settlement Agreement (the "Settlement Agreement"). Now the parties, by their respective undersigned attorneys, hereby stipulate and consent to entry of judgment and an injunction in this action as follows:

IT IS, this 15<sup>th</sup> day of Oct., 2010

ORDERED, ADJUDGED AND DEGREED as follows:

1. This Court has jurisdiction over the subject matter of the above action and has personal jurisdiction over the parties.
2. As used in this Consent Judgment, (i) the term "Sandoz Product" shall mean a drug product sold, offered for sale or distributed pursuant to Abbreviated New Drug Application No. 90-999, and (ii) the term "Affiliate" shall mean any entity or person that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with

Sandoz; for purposes of this definition, "control" (a) means ownership, directly or through one or more intermediaries, of (1) more than fifty percent (50%) of the shares of stock entitled to vote for the election of directors, in the case of a corporation, or (2) more than fifty percent (50%) of the equity interests in the case of any other type of legal entity or status as a general partner in any partnership, or (b) any other arrangement whereby an entity or person has the right to elect a majority of the Board of Directors or equivalent governing body of a corporation or other entity or the right to direct the management and policies of a corporation or other entity.

3. To the extent that the Complaint seeks a judgment declaring that United States Patent Nos. 5,719,147, 6,048,859, and 6,235,735 have been infringed pursuant to 35 U.S.C. § 271(e)(2), the Complaint is dismissed without prejudice.

4. Except as specifically authorized or modified pursuant to the Settlement Agreement (and the licenses contained therein), Sandoz, including any of its successors and assigns, is enjoined until April 18, 2015, from making, having made, using, selling, offering to sell, importing or distributing the Sandoz Product, on its own part or through any Affiliate or third party.

5. Except as the Parties have provided in their Settlement Agreement and as set forth in this Consent Judgment, by virtue of this Consent Judgment all other claims and demands for relief prayed for by Merck in this action are deemed to be satisfied.

6. Except as the Parties have provided in the Settlement Agreement and as set forth in this Consent Judgment, by virtue of this Consent Judgment all other claims and demands for relief prayed for by Sandoz in this action are deemed to be satisfied.

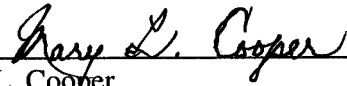
7. Sandoz has agreed that, in the event of breach or violation by Sandoz of the terms of this Consent Judgment, jurisdiction and venue for an action for a preliminary injunction against

the breaching conduct exists in this District Court, and Sandoz hereby waives any and all defenses based on personal jurisdiction and venue.

8. Compliance with this Consent Judgment may be enforced by Merck and its successors in interest, or assigns, as permitted by the terms of the Settlement Agreement.

9. This Court retains jurisdiction to enforce or supervise performance under this Consent Judgment and the Settlement Agreement.

10. Any remaining claims, counterclaims or affirmative defenses in the above action are dismissed without prejudice and without costs, disbursements or attorneys' fees to any party.

  
Mary L. Cooper  
United States District Judge

We hereby consent to the form and entry of this Order

/s/John E. Flaherty

John E. Flaherty  
MCCARTER & ENGLISH, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-4444

OF COUNSEL:

Bruce M. Wexler  
Joseph M. O'Malley, Jr.  
Gary Ji  
Angela C. Ni

PAUL, HASTINGS, JANOFSKY &  
WALKER LLP  
75 East 55th Street  
New York, NY 10022

*Attorneys for Plaintiff Merck & Co., Inc.*

/s/Paul Da Costa

Paul Da Costa  
DUANE MORRIS LLP  
744 Broad Street, Suite 1200  
Newark, NJ 07102-3889

Kerry B. McTigue  
Barry Golob  
Donald R. McPhail  
DUANE MORRIS LLP  
505 9th Street, NW, Suite 1000  
Washington, DC 20004-2166

Richard T. Ruzich  
DUANE MORRIS LLP  
190 South LaSalle St., Suite 3700  
Chicago, IL 60603

*Counsel for Defendant, Sandoz Inc.*

Dated: October 7, 2010